
SENATE BILL No. 204

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-10.1-22.4-3.

Synopsis: Release of FERPA information. Authorizes a school corporation or other entity to which the federal Family Educational and Privacy Rights Act (FERPA) applies to release education records to a juvenile justice agency.

Effective: July 1, 2001.

Lubbers

January 9, 2001, read first time and referred to Committee on Judiciary.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

SENATE BILL No. 204

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-10.1-22.4-3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2001]: **Sec. 3. (a) As used in this section,**
4 **"juvenile justice agency" has the meaning set forth in IC 5-2-5.1-6.**

5 **(b) A school corporation or other entity to which the education**
6 **records privacy provisions of the federal Family Educational and**
7 **Privacy Rights Act (20 U.S.C. 1232g) apply may disclose or report**
8 **on the education records of a child, including personally**
9 **identifiable information contained in the education records,**
10 **without the consent of the child's parent, guardian, or custodian,**
11 **under the following conditions:**

12 **(1) The disclosure or reporting of education records is to a**
13 **state or local juvenile justice agency.**

14 **(2) The disclosure or reporting relates to the ability of the**
15 **juvenile justice system to serve, before adjudication, the**
16 **student whose records are being released.**

17 **(3) The juvenile justice agency receiving the information**



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1 certifies, in writing, to the entity providing the information
2 that the agency or individual receiving the information has
3 agreed not to disclose it to a third party, other than another
4 juvenile justice agency, without the consent of the child's
5 parent, guardian, or custodian.

6 (c) For purposes of subsection (b)(2), a disclosure or reporting
7 of education records concerning a child who has been adjudicated
8 as a delinquent child shall be treated as related to the ability of the
9 juvenile justice system to serve the child before adjudication if the
10 juvenile justice agency seeking the information provides sufficient
11 information to enable the keeper of the education records to
12 determine that the juvenile justice agency seeks the information in
13 order to identify and intervene with the child as a juvenile at risk
14 of delinquency rather than to obtain information solely related to
15 supervision of the child as an adjudicated delinquent child.

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